

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

HARLAN JEROME DEAN MAD  
PLUME,

Defendant.

CR-16-03-GF-BMM

**FINDINGS AND  
RECOMMENDATIONS TO  
REVOKE DEFENDANT'S  
PRETRIAL RELEASE**

On January 19, 2016, the parties appeared before the undersigned for a detention hearing. After hearing the parties' arguments and witness testimony, the undersigned released Mr. Mad Plume subject to conditions. (Doc. 15.)

On May 2, 2016, the United States Probation Office filed a petition alleging that Mr. Mad Plume violated the conditions of his pretrial release by using alcohol. (Doc. 35.) On May 3, 2016, Mr. Mad Plume appeared in front of the undersigned for a revocation hearing. The undersigned ordered Mr. Mad Plume to be detained but stated that Mr. Mad Plume may move the Court for a detention hearing if arraignments were made for him to be placed in a treatment facility. (Doc. 38.) On July 15, 2016, after making arraignments to be placed in a treatment facility, Mr. Mad Plume appeared before the undersigned for a detention hearing. The undersigned ordered Mr. Mad Plume released under the same prior conditions of

release with the addition of the condition that Mr. Mad Plume attend treatment. On August 25, 2016, the United States Probation Office filed a Petition for Warrant or Summons and Order stating that Mr. Mad Plume had once again violated his conditions of release by using alcohol. (Doc. 53.)

On August 30, 2016, Mr. Mad Plume appeared before the undersigned with his attorney, William Levine. Assistant United States Attorney Jessica Betley represented the United States. Mr. Mad Plume admitted he violated the conditions of his supervised release. Mr. Mad Plume's supervised release should be revoked. Based on the repeated violations, it is unlikely Mr. Mad Plume can abide by any conditions of release. He should remain in custody pending trial.

The Court **FINDS:**

Mr. Mad Plume violated the conditions of his pretrial release.

The Court **RECOMMENDS:**

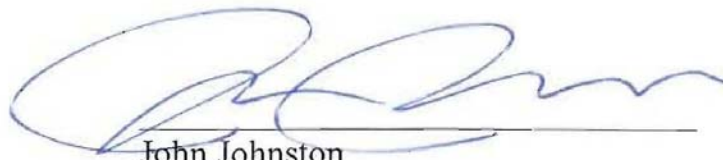
The Court should revoke Mr. Mad Plume's pretrial release, and he should remain in custody until his trial.

**NOTICE OF RIGHT TO OBJECT TO FINDINGS AND  
RECOMMENDATIONS AND CONSEQUENCES OF FAILURE TO  
OBJECT**

The parties may serve and file written objections to the Findings and Recommendations within 14 days of their entry, as indicated on the Notice of Electronic Filing. 28 U.S.C. § 636(b)(1). A district judge will make a de novo

determination regarding any portion of the Findings and Recommendations to which objection is made. The district judge may accept, reject, or modify, in whole or in part, the Findings and Recommendations. Failure to timely file written objections may bar a de novo determination by the district judge, and may waive the right to appear and allocute before a district judge.

Dated the 6th day of September, 2016.

A handwritten signature in blue ink, appearing to read 'John Johnston', is written over a horizontal line.

John Johnston  
United States Magistrate Judge